

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ANGELA HOGAN and ANDREA  
SEBERSON, on behalf of themselves and  
others similarly situated,

Plaintiff,

v.

AMAZON.COM, INC.,

Defendant.

Case No. 2:21-cv-00996-RSM

STIPULATED MOTION AND  
[PROPOSED] ORDER EXTENDING  
TIME FOR MOTION TO DISMISS

**Note on Motion Calendar:**

February 8, 2022

STIPULATION AND ORDER  
EXTENDING TIME TO FILE MTD  
Case No. 2:21-cv-00996-RSM

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1 The parties, by and through their counsel, stipulate and agree as follows:

2 1. Plaintiffs filed this action on July 26, 2021, asserting antitrust claims against  
3 Amazon.com, Inc., based on alleged overcharges to consumers caused by Amazon allegedly tying  
4 a Seller's access to the "Buy Box" on the Amazon website to the Seller's purchase of Amazon's  
5 fulfillment services.

6 2. On September 1, 2021, pursuant to a stipulation among the parties, the Court  
7 entered an Order for Consolidation, Filing of Consolidated Amended Complaint, and Schedule for  
8 Answer of Motion to Dismiss [Dkt. 17] ("Order for Consolidation"). Among other things, that  
9 Order (a) provided for consolidation of this action with *Seberson, et al. v. Amazon.com, Inc.*, 2:21-  
10 cv-1009-RSM; (b) called for the filing of a Consolidated Amended Complaint in this action within  
11 14 days of entry of the Court's order, if any, denying the then-pending motion to consolidate this  
12 action into *De Coster, et al. v. Amazon.com, Inc.*, 2:21-cv-693-RSM ("*De Coster*"); and (c) set a  
13 briefing schedule on Amazon's motion to dismiss, which called for Amazon to file its motion  
14 within 45 days after Plaintiffs file their consolidated amended complaint, Plaintiffs to file their  
15 opposition within 45 days thereafter, and Amazon to file its reply within 30 days of the opposition.

16 3. On January 19, 2022, the Court denied the motion to consolidate this action into *De*  
17 *Coster*. See *De Coster, et al. v. Amazon.com, Inc.*, 2:21-cv-693-RSM, "Order Denying Motion to  
18 Consolidate Related Actions," Jan. 19, 2022, Dkt. 43.

19 4. On February 2, 2022, the Plaintiffs filed their Consolidated Amended Class Action  
20 Complaint ("CAC") in this action, in compliance with the Order for Consolidation.

21 5. Pursuant to the Order for Consolidation, Amazon's motion to dismiss the CAC is  
22 now due on or before March 21, 2022.

23 6. Because of a combination of professional commitments and personal leaves,  
24 Amazon's counsel has asked Plaintiffs for a brief extension of time to file Amazon's motion  
25 dismiss, to April 4, 2022, i.e., 60 days after the filing of the CAC. Plaintiffs' counsel have agreed  
26 to Amazon's request, subject to the Court's approval. Plaintiffs shall file their opposition and  
27 Amazon shall file its reply on the schedule set by the Order for Consolidation.

1 DATED this 8th day of February, 2022.

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23 *Attorneys for Defendant Amazon.com, Inc.*

24 **ORDER**

25 Pursuant to stipulation, IT IS SO ORDERED.

26 DATED this \_\_\_\_ day of \_\_\_\_\_, 2022.

27  
\_\_\_\_\_  
RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE